

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER W. HARRIS,

Plaintiff,

v.

DEPUTY MINER, et al.,

Defendants.

No. 2:21-cv-01417-BJR


ORDER ADOPTING REPORT AND
RECOMMENDATION

Having reviewed the Report and Recommendation (“R&R”) of Magistrate Judge J. Richard Creatura recommending dismissal of this case for failure to prosecute, the Court hereby adopts the R&R and dismisses Plaintiff’s case without prejudice. Because Plaintiff did not file a timely objection, the Court reviews the R&R only for clear error on the face of the record. *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196, 206 (9th Cir. 1974), *cert. denied*, 419 U.S. 879 (1974).

As noted in the R&R, mail to Plaintiff has been returned as undeliverable since October 2021. On October 29, 2021, Magistrate Judge Creatura ordered Plaintiff to provide an updated address and warned that failure to do so would result in dismissal of the case for failure to prosecute. Dkt. 5. Plaintiff never responded or provided an updated address, and Magistrate Judge Creatura issued the R&R on December 30, 2021. As Plaintiff has failed to respond, the Court concludes that he has failed to prosecute this case.

1 Accordingly, the Court hereby adopts the R&R (Dkt. 7) and Plaintiff's complaint is
2 dismissed without prejudice.

3 DATED this 8th day of February, 2022.

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6 BARBARA J. ROTHSTEIN
7 UNITED STATES DISTRICT JUDGE
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